

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON, *et al.*,

Plaintiffs,

-vs-

DONALD J. TRUMP, in his official capacity as President of the United States of America; UNITED STATES OF AMERICA; LOUIS DEJOY, in his official capacity as Postmaster General; and UNITED STATES POSTAL SERVICE,

Defendants.

**Case No. 1:20-CV-3127-SAB**  
**CIVIL MINUTES**

**DATE: SEPTEMBER 17, 2020**

**LOCATION: YAKIMA, WA**

**MOTION FOR PRELIMINARY  
INJUNCTION HEARING**

<b>Chief Judge Stanley A. Bastian</b>		
Angela Noel	01	Marilynn McMartin
<b>Courtroom Deputy</b>	<b>Law Clerk</b>	<b>Court Reporter</b>
Kristen Beneski – in person Noah Purcell – in person		Joseph Borson – video
<b>Plaintiffs' Counsel</b>		<b>Defendants' Counsel</b>

Open Court

Chambers

Telecon/Video

Roll call taken by the Court. For the record, the following counsel appeared by telephone:

Andrew Hughes – State of Washington  
Cristina Sepe – State of Washington  
Emma Grunberg – State of Washington  
Karl Smith – State of Washington  
Tera Heintz – State of Washington  
Nathan Bays – State of Washington  
Daniel De Cecco – State of Colorado  
Danny Rheiner – State of Colorado  
Joshua Perry – State of Connecticut  
Elizabeth Morris – State of Illinois  
Jeffrey Dunlap – State of Maryland  
Angela Behrens – State of Minnesota

ORDER FORTHCOMING

CONVENED: 10:18 AM.	ADJOURNED: 12:40 P.M.	TIME: 2:06 MIN.	CALENDARED <input checked="" type="checkbox"/>
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Nicholas Sydow – State of New Mexico  
Elleanor Chin – State of Oregon  
Carol Lewis – Commonwealth of Virginia  
Colin Roth – State of Wisconsin

Court addressed counsel.

Argument presented by Plaintiffs' counsel Kristen Beneski in support of Plaintiffs' Motion for Preliminary Injunction. CF No. 54. Court inquiry regarding irreparable harm. Ms. Beneski responded and resumed her argument.

Ms. Beneski presented argument regarding Plaintiffs seeking nationwide injunction. Court inquired how nationwide injunction could be enforced by the Court. Ms. Beneski responded to the inquiry.

Court inquiry re: standing issue. Mr. Purcell responded and presented additional argument on Plaintiffs' Motion.

Argument in opposition presented by defense counsel Borson. Court inquiry re: 'nothing has changed' referenced in Defendants' briefing as well as in argument. Mr. Borson responded to the Court's inquiry.

Inquiry by Court as to adequate relief. Mr. Borson addressed the Court's inquiry.

Mr. Borson addressed the ultra vires claims and presented argument regarding lack of standing, the Elections Clause issue and constitutional claim. Inquiry by Court.

**Recess:** 12:03 p.m. – 12:19 p.m.

Plaintiffs' counsel Beneski briefly addressed the Court regarding the basis for Plaintiffs' Motion to Compel. Ms. Beneski and Mr. Purcell replied to Mr. Borson's argument in opposition to Plaintiffs' Motion.

The Court addressed and clarified the parties' discovery dispute and the Court's procedures. Ms. Beneski advised they will confer with Defendants in attempt to reach agreement.

The Court summarized the issues and the parties' positions. For the reasons stated on the record, and to be detailed in the Court's order, the Court GRANTS Plaintiffs' Motion for Preliminary Injunction. The Court will issue a written injunction essentially in the form presented by Plaintiffs.